

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 07/20/2022

-----X
JACALYN DIESENHOUSE, et al.,
:

Plaintiffs,
:

-v-
:

SOCIAL LEARNING AND PAYMENTS, INC., et al.,
:

Defendants.
:
-----X

20-cv-7436 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

Defendant Moran's motion to dismiss the fiduciary duty claim and Defendant SLAP's motion to dismiss the accounting claim both proceed on the notion that New York law applies to the claim. Defendant SLAP is alleged to be a Delaware corporation; Moran is alleged to be an officer and director of that corporation. The Court invites letter briefs, no longer than three single-spaced pages, addressed to the following questions: (1) should Delaware law be applied to the fiduciary duty and accounting claims pursuant to the internal affairs doctrine; and (2) if so, how does that affect the statute of limitations analysis for the breach of fiduciary duty claim and the failure to state a claim argument for the accounting claim. Such letter briefs shall be filed on ECF no later than 5:00 p.m. on July 28, 2022.

SO ORDERED.

Dated: July 20, 2022
New York, New York



LEWIS J. LIMAN
United States District Judge